

Opening Statement of Chair Jon Ossoff
“Sexual Abuse of Female Inmates in Federal Prisons”
U.S. Senate Permanent Subcommittee on Investigations
Homeland Security and Governmental Affairs Committee
December 13, 2022

The Permanent Subcommittee on Investigations will come to order.

Today’s hearing will examine the findings of our eight-month bipartisan investigation into the sexual abuse of women in federal prisons.

Before we proceed, viewers are advised that this hearing will discuss sexual violence and other deeply disturbing issues that we are duty-bound to bring to light.

Anyone seeking mental health assistance can call the nationwide hotline at 988 to connect with a trained counselor.

Eight months ago, as chair of PSI, I launched an investigation into the sexual abuse of women held in federal prisons.

With Ranking Member Johnson’s support, our bipartisan staff reviewed extensive non-public Bureau of Prisons and whistleblower documents and conducted more than two-dozen interviews with senior BOP leaders, whistleblowers, and survivors of prison sexual abuse.

Our findings are deeply disturbing and demonstrate, in my view, that the BOP is failing systemically to prevent, detect, and address sexual abuse of prisoners by its own employees.

The Subcommittee has found that Bureau of Prisons’ employees sexually abused female prisoners in at least two-thirds of Federal prisons that have held women over the past decade.

We found that BOP has failed to prevent, detect, and stop recurring sexual abuse, including by senior prison officials.

At FCI Dublin in California, for example, both the Warden and the Chaplain sexually abused female prisoners.

We found that BOP has failed to successfully implement the *Prison Rape Elimination Act*, or PREA.

For example: two prisons where multiple BOP employees were abusing multiple women over an extended period, FCI Dublin and FCC Coleman, nevertheless passed or were found to have exceeded the PREA audit criteria, which are mandated by Congress and intended to detect the risk of sexual abuse in BOP facilities.

In the case of FCI Dublin, the PREA compliance officer — the official specifically tasked with ensuring compliance with the Federal law whose purpose is the elimination of prison rape — was himself sexually abusing prisoners.

In the case of FCC Coleman in Florida, all female prisoners had been transferred out of the facility two days before the PREA audit, making it impossible for the auditor to interview female prisoners despite the legal requirement that they interview inmates as part of the audit.

Amidst more than 5,000 allegations of sexual abuse by BOP employees, we found at least 134 against female detainees were substantiated by BOP internal investigations or by criminal prosecutions.

And given the fear of retaliation by survivors of sexual abuse, the apparent apathy by senior BOP officials at the facility, regional office, and headquarters levels, and severe shortcomings in the investigative practices implemented by BOP's Office of Internal Affairs and the Department of Justice Inspector General, I suspect the extent of abuse is significantly wider.

Indeed, we found there is currently a backlog of 8,000 internal affairs cases at the Bureau of Prisons, including at least hundreds of sexual abuse allegations against BOP employees that remain unresolved.

DOJ's Inspector General has found that BOP fails, at times, to properly credit allegations of sexual abuse brought by inmates.

And multiple BOP employees who would later admit in sworn statements to sexually abusing prisoners have escaped criminal prosecution, due in part to weaknesses in the process by which BOP and the DOJ Inspector General work together to investigate such allegations. In fact, several officers who admitted under oath to sexually abusing prisoners were able nevertheless to retire with benefits.

Let me be absolutely clear: this situation is intolerable. Sexual abuse of inmates is a gross abuse of human and Constitutional rights and cannot be tolerated by the United States Congress.

It is cruel and unusual punishment that violates the Eighth Amendment to the United States Constitution, and basic standards of human decency.

In July of this year, the former Director of BOP testified before this very Subcommittee and insisted that BOP was able to keep female prisoners safe from sexual abuse by BOP employees. "We now know that that statement was unequivocally false.

"The purpose of today's hearing is to understand what's gone so badly wrong — to establish and examine the facts upon which we must build reform. Progress begins with the truth. It requires a full and unflinching examination of grievous failure.

On our first panel, we will hear from three survivors of sexual abuse at the hands of BOP employees that occurred while they were incarcerated in federal prisons: Carolyn Richardson, Briane Moore, and Linda De La Rosa. All of their abusers have since been convicted.

The first-hand accounts of survivors are essential, and I am deeply grateful to them for coming forward to testify before the Senate. Their bravery will make it easier for others to tell their stories.

Next, we will hear from Professor Brenda V. Smith of American University, a national expert on sexual abuse in custodial settings. We will ask her to put the survivors' testimony in a broader context.

Finally, we will question two government witnesses: the Inspector General for the Department of Justice, Michael Horowitz, whose office both oversees BOP and investigates criminal misconduct by BOP employees, and the new BOP Director Colette Peters, who began her tenure just six months ago, in July.

The hearing today is part of a two-year bipartisan effort by this Subcommittee under my leadership to investigate conditions of incarceration and detention in the United States. From corruption at the U.S. Penitentiary Atlanta in Georgia, to the Department of Justice's failure to count almost 1,000 deaths in custody across the country, to abusive and unnecessary gynecological procedures performed on women in Department of Homeland Security custody.

Ranking Member Johnson, I thank you sincerely for your assistance in these efforts and your staff.

Before I yield to the Ranking Member for his opening statement, it is important to acknowledge that law enforcement professionals working in our prisons have among the hardest jobs in our country, and I believe the vast majority of BOP employees share our goals of ending sexual abuse once and for all in Federal prisons.

I also want to state for the record the Subcommittee investigated sexual abuse of women in federal prison because of some of their unique considerations: women are more likely than male prisoners to have suffered from trauma and sexual abuse prior to incarceration, and particularly susceptible to subsequent abuse in a custodial setting. However, the Subcommittee fully acknowledges that sexual abuse is not limited to female prisoners.

Finally, the Subcommittee's findings, which form the basis for today's hearing, are laid out in a Bipartisan staff report, and I ask unanimous consent that this report be entered into the record.